

REMARKS

Claims 1 and 2 remaining in the present application. No amendments to the claims have been made. No new matter has been added. It is respectfully submitted that this response is fully responsive to the Office Action dated April 28, 2003.

As to the Merits:

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Salz (U.S. Patent No. 6,186,201) in view of Reich (U.S. Patent No. 4,489,770).

This rejection is respectfully traversed.

Claim 1 call for a completely waterproofed bag means comprising a main body made of a mesh material as a whole except an opening portion thereof, a completely waterproofed inner bag to be put in the main body detachably, said main body including a plurality of hooks located on its outer surface, and a smooth-surface outer cover which is detachably put on said plurality of hooks outside of said main body to cover said mesh material completely.

The primary reference of Salz teaches that a removable inner bag 120 which maybe fastened to an outer shell 110 by hooks. See lines 13 - 14, column 3 of Salz. However, Salz fails to teach that the inner bag 120 is made of mesh material, as called for in claim 1.

While the Examiner acknowledges this deficiency of Salz, the Examiner takes the position that having the inner bag 120 being made of mesh material is an obvious design choice. However, the Examiner's position is unfounded given the advantages of having the main body being made of mesh material as discussed in the present specification.

More specifically, the mesh material of the main body gives the bag an air-permeable condition, which allows for items placed in the main bag to be easily checked from outside and for wet or damp items to be willingly dried. It is respectfully submitted that such advantages would not constitute an obvious design choice. Moreover, it is respectfully submitted that the Examiner is merely relying on the Applicant's disclosure and not any cited prior art references to improperly reconstruct the Applicant's invention via impermissible hindsight.

Further, while the Examiner properly acknowledges that the primary reference of Salz fails to disclose "the main body having a detachable, waterproof inner bag,"¹ the Examiner relies on the secondary reference of Reich for teaching this drawback of Salz.

However, while Reich may disclose a detachable waterproof inner bag 18, the Examiner fails to provide any sufficient reasons why a detachable waterproof inner bag would be needed in the bag disclosed by Salz. That is, Salz already discloses that inner bag 120 fits substantially inside the outer

¹Please see, line 4, page 3 of the Action.

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shell 120. Thus, the need to modify Salz to include an additional detachable waterproof inner bag within the inner bag 120 is just unsupported.

That is, again, the Examiner is merely using impermissible hindsight to reconstruct the present claimed invention.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosures: Three Month Petition for Extension of Time